

REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Final Office Action mailed June 24, 2005. Claims 1, 3-9, 11-17 and 19-24 stand rejected. In this Amendment, claims 1, 9 and 17 have been amended. No new matter has been added.

Rejections Under 35 U.S.C. 112

Claims 1, 3-9, 11-17 and 19-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully submit that claims 1, 9 and 17, as amended, are supported by the present specification. For example, support for these claims can be found in paragraph [0043] of the present specification.

Rejections Under 35 U.S.C. 103(a)

Claims 1, 3-9, 11-17 and 19-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bingham, et al., (U.S. Patent Application No. 2002/0069094, hereinafter “Bingham”) in view of Luxor Hotel and Casino, (hereinafter “Luxor”).

As discussed above, claims 1, 9 and 17 have been amended.

Applicants respectfully submit that the cited art, as claimed in claim 1, does not disclose: “upon determining that the requested function space satisfying the one or more of the plurality of criteria is available, determining a price for the requested function space based upon the set of pricing rules and one or more of the plurality of criteria.” Similar limitations are included in independent claims 9 and 17.

In Bingham, a package satisfies criteria received from the user. That is, the user specifies what they want, and if the request can be fulfilled, a reservation is made with a corresponding price based upon the user’s input (i.e., only user criteria).

Bingham also discloses a set of “reservation rules.” Bingham’s examples of such rules include a requirement that a certain number of guestrooms be reserved; and a certain dollar value of food and beverages be purchased in conjunction with the reservation of a meeting room. That is, in Bingham, if the user does not meet threshold requirements of “reservation rules,” a reservation will not be made. That is, in Bingham, these “reservation rules” are used only to determine availability. The price, in Bingham, is defined before availability is determined (i.e., the price is predetermined).

In contrast, claim 1 uses pricing rules (which may include the amount of food ordered and the number of guest rooms rented), in conjunction with the user provided criterion, to determine a price for the requested function space. Thus, in Claim 1, the availability is first determined, and the price is subsequently determined using the price rules and the user criteria.

Thus, in one embodiment, based on the user criteria (e.g., the number of people in attendance), the availability is determined. Then, if the user criteria indicate that people using the function space will be drinking alcohol, a first, lower price is given. This first, lower price may vary depending on the number of people attending. However, if the user criteria indicate that people using the function space will not be drinking alcohol, a second, high price is given.

Luxor also fails to teach or suggest determining a price for a requested function space based upon a set of pricing rules and criteria, wherein the pricing rules include supplementary sales. The Examiner submits that Luxor discloses pricing rules pertaining to date and takes Official Notice that it is old and well known to include pricing rules corresponding to rules pertaining to date and current demand; however, the Examiner has pointed to no teaching in the cited art for pricing rules pertaining to supplementary sales.

As discussed above, Bingham teaches away from the presently claimed inventions because, in Bingham, supplementary sales are used to determine availability only.

For these reasons applicants respectfully submit that claim 1 is patentable over the cited art. Given that claims 3-8, 11-16 and 19-24 depend, directly or indirectly, from claims 1, 9 and 17, respectively, applicants respectfully submit that claims 3 – 8, 11-16 and 19-24 are likewise, patentable over the cited art.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

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